



**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

9/7/04  
Date of Deposit

Andrew D. Stover, Reg. No. 38,629

Name of Applicant, Assignee or  
Registered Representative

Signature

9/7/04

Date of Signature

Our Case No.: 3591-1378

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

CARUSO et al.

Serial No.: 10/809,279

Filing Date: March 25, 2004

For: SEATING STRUCTURE HAVING  
FLEXIBLE SUPPORT SURFACE

Examiner: Unassigned

Group Art Unit No.: 3635

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

U.S. PATENT NO.	ISSUE DATE	PATENTEE
54,314	05/1866	FARMER
567,639	09/1896	CROUCH
662,647	11/1900	HOWE
1,005,330	10/1911	SCHMITS ET AL.
1,769,294	07/1930	JOHNSON ET AL.
2,126,439	08/1938	ZERBEE
2,260,352	10/1941	TRAPANI
2,878,860	03/1959	BRATTRUD
3,041,109	06/1962	EAMES ET AL.
3,059,919	10/1962	MARCHINO
3,080,579	03/1963	GORDON
3,107,944	10/1963	BAERMANN
3,117,819	01/1964	KUDRIAVETZ, JR.
3,120,407	02/1964	PROPST
3,140,086	07/1964	LAWSON
3,162,487	12/1964	TROTMAN
3,198,578	08/1965	GEOFFREY ET AL.
3,217,786	11/1965	EARL
RE. 25,943	12/1965	LAWSON
3,233,885	02/1966	PROPST
3,565,482	02/1971	BLODEE
3,681,797	08/1972	MESSNER
3,720,568	03/1973	ROWLAND
3,767,261	10/1973	ROWLAND
3,840,269	10/1974	AMBROSE
3,877,750	04/1975	SCHOLPP
4,143,916	03/1979	TROTMAN
4,318,556	03/1982	ROWLAND
4,368,917	01/1983	URAI
4,390,210	06/1983	WISNIEWSKI ET AL.
4,533,174	08/1985	FLEISHMAN
4,585,272	04/1986	BALLARINI
4,582,361	04/1986	KENNEL
4,660,887	04/1987	FLEMING ET AL.
4,761,035	08/1988	URAI
4,789,201	12/1988	SELBERT
4,828,320	05/1989	SAIGER
4,834,458	05/1989	IZUMIDA ET AL.
4,856,846	08/1989	LOHMEYER
4,913,493	04/1990	HEIDMANN
5,013,089	05/1991	ABU-ISA ET AL.
5,067,772	11/1991	KOA

U.S. PATENT NO.	ISSUE DATE	PATENTEE
5,154,485	10/1992	FLEISHMAN
5,320,410 A	06/1994	FAIKS ET AL.
5,439,271	08/1995	RYAN
5,441,331	08/1995	VENTO
5,445,436	08/1995	KEMNITZ
5,529,373	06/1996	OLSON ET AL.
5,551,673	09/1996	FURUSAWA ET AL.
5,747,140	05/1998	HEERKLOTZ
5,943,758	08/1999	RITCH ET AL.
6,029,962	02/2000	SHORTEN ET AL.
6,035,901	03/2000	STUMPF ET AL.
6,170,808	01/2001	KUTSCHI
6,193,318 B1	02/2001	BECKER ET AL.
2002/0096931 A1	07/2002	WHITE ET AL.
6,546,578 B1	04/2003	STEINMEIER
D 475,859 S	06/2003	KRYGER
6,726,285 B2	04/2004	CARUSO ET AL.

#### FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY
0 021 191 A2 and B1	6/1980	EPO
WO 00/22961	04/2000	PCT
GB 2225229 A	05/1990	UNITED KINGDOM

#### OTHER ART

Digital images of "Ypsilon" Chair, date unknown.
Vitra "Ypsilon" brochure, date unknown.
International Search Report, International Application PCT/US02/00024, May 29, 2002.

Pursuant to the undersigned attorney's obligation and duties under C.F.R. §§ 1.56 and 1.98(a)(3), an English translation of the claims only for EPO 0 021 191 A2, and an English translation of WO 00/22961, are provided for the express purpose of providing concise explanations to the Examiner and the USPTO with opportunity to evaluate the same.

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be

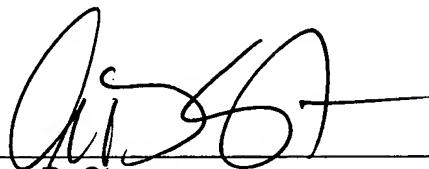
construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

This application is a continuation-in-part application of U.S. Serial No. 09/897,153, filed March 25, 2004 and is relied upon for an earlier filing dated under 35 U.S.C. § 120. In accordance with Rule 37 C.F.R. § 1.98(d) only copies of documents not previously cited and submitted to the Patent and Trademark Office in the prior application Serial No. 09/897,153 are enclosed for the convenience of the Examiner.

Applicant(s) respectfully request that the listed documents be made of record in  
the present case.

Respectfully submitted,



---

Andrew D. Stover  
Registration No. 38,629  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(312) 321-4200



FORM PTO-1449 <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b> (use several sheets if necessary)	SERIAL NO. 10/809,279	CASE NO. 3591-1378
	FILING DATE March 25, 2004	GROUP ART UNIT 3635
	APPLICANT(S): CARUSO et al.	

**REFERENCE DESIGNATION**      **U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER Number-Kind Code (if known)	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1 54,314	05/1866	FARMER		
	A2 567,639	09/1896	CROUCH		
	A3 662,647	11/1900	HOWE		
	A4 1,005,330	10/1911	SCHMITS ET AL.		
	A5 1,769,294	07/1930	JOHNSON ET AL.		
	A6 2,126,439	08/1938	ZERBEE		
	A7 2,260,352	10/1941	TRAPANI		
	A8 2,878,860	03/1959	BRATTRUD		
	A9 3,041,109	06/1962	EAMES ET AL.		
	A10 3,059,919	10/1962	MARCHINO		
	A11 3,080,579	03/1963	GORDON		
	A12 3,107,944	10/1963	BAERMANN		
	A13 3,117,819	01/1964	KUDRIAVETZ, JR.		
	A14 3,120,407	02/1964	PROPS		
	A15 3,140,086	07/1964	LAWSON		
	A16 3,162,487	12/1964	TROTMAN		
	A17 3,198,578	08/1965	GEOFFREY ET AL.		
	A18 3,217,786	11/1965	EARL		
	A19 RE. 25,943	12/1965	LAWSON		
	A20 3,233,885	02/1966	PROPS		
	A21 3,565,482	02/1971	BLODEE		
	A22 3,681,797	08/1972	MESSNER		
	A23 3,720,568	03/1973	ROWLAND		
	A24 3,767,261	10/1973	ROWLAND		
	A25 3,840,269	10/1974	AMBROSE		
	A26 3,877,750	04/1975	SCHOLPP		
	A27 4,143,916	03/1979	TROTMAN		
	A28 4,318,556	03/1982	ROWLAND		
	A29 4,368,917	01/1983	URAI		
	A30 4,390,210	06/1983	WISNIEWSKI ET AL.		
	A31 4,533,174	08/1985	FLEISHMAN		
	A32 4,585,272	04/1986	BALLARINI		
	A33 4,582,361	04/1986	KENNEL		
	A34 4,660,887	04/1987	FLEMING ET AL.		
	A35 4,761,035	08/1988	URAI		
	A36 4,789,201	12/1988	SELBERT		

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	SERIAL NO. 10/809,279	CASE NO. 3591-1378
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE March 25, 2004	GROUP ART UNIT 3635
(use several sheets if necessary)	APPLICANT(S): CARUSO et al.	

## REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER Number-Kind Code (if known)	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A37 4,828,320	05/1989	SAIGER		
	A38 4,834,458	05/1989	IZUMIDA ET AL.		
	A39 4,856,846	08/1989	LOHMEYER		
	A40 4,913,493	04/1990	HEIDMANN		
	A41 5,013,089	05/1991	ABU-ISA ET AL.		
	A42 5,067,772	11/1991	KOA		
	A43 5,154,485	10/1992	FLEISHMAN		
	A44 5,320,410 A	06/1994	FAIKS ET AL.		
	A45 5,439,271	08/1995	RYAN		
	A46 5,441,331	08/1995	VENTO		
	A47 5,445,436	08/1995	KEMNITZ		
	A48 5,529,373	06/1996	OLSON ET AL.		
	A49 5,551,673	09/1996	FURUSAWA ET AL.		
	A50 5,747,140	05/1998	HEERKLOTZ		
	A51 5,943,758	08/1999	RITCH ET AL.		
	A52 6,029,962	02/2000	SHORTEN ET AL.		
	A53 6,035,901	03/2000	STUMPF ET AL.		
	A54 6,170,808	01/2001	KUTSCHI		
	A55 6,193,318 B1	02/2001	BECKER ET AL.		
	A56 2002/0096931 A1	07/2002	WHITE ET AL.		
	A57 6,546,578 B1	04/2003	STEINMEIER		
	A58 D 475,859 S	06/2003	KRYGER		
	A59 6,726,285 B2	04/2004	CARUSO ET AL.		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER Number-Kind Code (if known)	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
	A60 0 021 191 A2	6/1980	EPO		Claims only
	A61 0 021 191 B1	6/1980	EPO		
	A62 WO 00/22961	04/2000	PCT		Yes
	A63 GB 2225229 A	05/1990	UNITED KINGDOM		

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449	SERIAL NO. 10/809,279	CASE NO. 3591-1378
<b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	FILING DATE March 25, 2004	GROUP ART UNIT 3635
(use several sheets if necessary)	APPLICANT(S): CARUSO et al.	

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS	
	(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)	
A64	Digital images of "Ypsilon" Chair, date unknown.	
A65	Vitra "Ypsilon" brochure, date unknown.	
A66	International Search Report, International Application PCT/US02/00024, May 29, 2002.	

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.